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INTERPRETER

**U.S. District Court
District of Delaware (Wilmington)
CRIMINAL DOCKET FOR CASE #: 1:24-mj-00347-UNA All Defendants**

Case title: USA v. Grigoras et al

Date Filed: 10/08/2024

Assigned to: Unassigned Judge

Defendant (1)

Radu-Lucian Grigoras

represented by **Eleni Kousoulis**
Federal Public Defender's Office
800 N. King Street
Suite 200
Wilmington, DE 19801
302-573-6010
Fax: 302-573-6041
Email: DE_ECF@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Public Defender or
Community Defender Appointment

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

18:1344- BANK FRAUD and 18:1028A-
AGGRAVATED IDENTITY THEFT (ND/
NY)

Disposition

Assigned to: Unassigned Judge

Defendant (2)

Gheorghe Nistor

represented by **Eleni Kousoulis**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Public Defender or
Community Defender Appointment

Pending Counts

None

Disposition

Highest Offense Level (Opening)

None

Terminated Counts

None

Disposition

Highest Offense Level (Terminated)

None

Complaints

18:1344- BANK FRAUD and 18:1028A-
AGGRAVATED IDENTITY THEFT (ND/
NY)

Disposition

Plaintiff

USA

represented by **Tiana Sampson**
U.S. Attorney's Office
Hercules Building
1313 N. Market Street
P.O. Box 2046
Wilmington, DE 19801
302-575-6544
Email: tiana.sampson@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Date Filed	#	Docket Text
10/08/2024		Arrest (Rule 5) of Radu-Lucian Grigoras, Gheorghe Nistor (lih) (Entered: 10/08/2024)

10/08/2024	<u>1</u>	Copy of charging pleadings (Indictment) received from Northern District of New York as to Radu-Lucian Grigoras, Gheorghe Nistor (lih) (Entered: 10/08/2024)
10/09/2024		Minute Entry for proceedings held before Judge Sherry R. Fallon - Initial Appearance in Rule 5(c)(3) Proceedings as to Radu-Lucian Grigoras held on 10/9/2024. Deft. was present with counsel (Conor Wilson, Esq. from the FPD's Office was appointed as counsel); Deft. executed the Waiver Rule 5 & 5.1 Hearings; Court advised counsel of their Brady Obligations; Government filed a Motion to Detain; Deft. did not contest detention pending transfer; Govt's motion to detain; GRANTED. Deft. ordered detained pending transfer. ATTENDEES: AUSA -M. Thurstlic-O'Neill, Esq.; DEFT - C. Wilson, Esq.; USPO - A. Ramirez; INTERPRETER- Ovidiu Doru Suceveanu; CLERK - Kincaid. (lih) (Entered: 10/09/2024)
10/09/2024	<u>2</u>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Radu-Lucian Grigoras. Appointment of Eleni Kousoulis, Esq. for Radu-Lucian Grigoras. Signed by Judge Sherry R. Fallon on 10/9/2024. (lih) (Entered: 10/09/2024)
10/09/2024	<u>3</u>	WAIVER of Rule 5(c)(3) Hearings by Radu-Lucian Grigoras (lih) (Entered: 10/09/2024)
10/09/2024	<u>4</u>	ORDER pursuant to, Brady v. Maryland, Fed. R. Crim. P. 5(f) as to Radu-Lucian Grigoras. Signed by Judge Sherry R. Fallon on 10/9/2024. (lih) (Entered: 10/09/2024)
10/09/2024	<u>5</u>	MOTION to Detain Pending Trial by USA as to Radu-Lucian Grigoras. (lih) (Entered: 10/09/2024)
10/09/2024	<u>6</u>	COMMITMENT TO ANOTHER DISTRICT as to Radu-Lucian Grigoras. Defendant committed to District of Northern District of New York. Signed by Judge Sherry R. Fallon on 10/9/2024. (lih) (Entered: 10/09/2024)
10/09/2024		Minute Entry for proceedings held before Judge Sherry R. Fallon - Initial Appearance in Rule 5(c)(3) Proceedings as to Gheorghe Nistor held on 10/9/2024. Deft. was present with counsel (Conor Wilson, Esq. from the FPD's Office was appointed as counsel); Deft. executed the Waiver Rule 5 & 5.1 Hearings; Court advised counsel of their Brady Obligations; Government filed a Motion to Detain; Deft. did not contest detention pending transfer; Govt's motion to detain; GRANTED. Deft. ordered detained pending transfer. ATTENDEES: AUSA -M. Thurstlic-O'Neill, Esq.; DEFT - C. Wilson, Esq.; USPO - A. Ramirez; INTERPRETER- Ovidiu Doru Suceveanu; CLERK - Kincaid. (lih) (Entered: 10/09/2024)
10/09/2024	<u>7</u>	ORDER APPOINTING FEDERAL PUBLIC DEFENDER as to Gheorghe Nistor. Appointment of Eleni Kousoulis, Esq. for Gheorghe Nistor. Signed by Judge Sherry R. Fallon on 10/9/2024. (lih) (Entered: 10/09/2024)
10/09/2024	<u>8</u>	WAIVER of Rule 5(c)(3) Hearings by Gheorghe Nistor (lih) (Entered: 10/09/2024)
10/09/2024	<u>9</u>	ORDER pursuant to, Brady v. Maryland, Fed. R. Crim. P. 5(f) as to Gheorghe Nistor. Signed by Judge Sherry R. Fallon on 10/9/2024. (lih) (Entered: 10/09/2024)
10/09/2024	<u>10</u>	MOTION to Detain Pending Trial by USA as to Gheorghe Nistor. (lih) (Entered: 10/09/2024)
10/09/2024	<u>11</u>	COMMITMENT TO ANOTHER DISTRICT as to Gheorghe Nistor. Defendant committed to District of Northern District of New York. Signed by Judge Sherry R. Fallon on 10/9/2024. (lih) (Entered: 10/09/2024)

10/09/2024	<u>12</u>	EXIT RECORD to Northern District of New York. (lih) (Entered: 10/09/2024)
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AO 466A (Rev. 01/09) Waiver of Rule 5 & 5.1 Hearings (Complaint or Indictment)

UNITED STATES DISTRICT COURT

for the
District of Delaware

United States of America
v.
RADU-LUCIAN GRIGORAS

Defendant

Case No. 24-347M-1

Charging District's Case No. 5:24-CR-409 (SNH)

WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)

I understand that I have been charged in another district, the *(name of other court)* Northern District of New York.

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing within 10 days of my first appearance if I am in custody and 20 days otherwise — unless I am indicted — to determine whether there is probable cause to believe that an offense has been committed;
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- ☐ an identity hearing and production of the warrant.
- ☐ a preliminary hearing.
- ☐ a detention hearing.
- ☒ an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that those hearings be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 10/9/24

FILED

OCT - 9 2024

U.S. DISTRICT COURT DISTRICT OF DELAWARE

Defendant's signature

Signature of defendant's attorney

CONOR WILSON, ESQ., AFPD

Printed name of defendant's attorney

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

Cr. A. No. 24-347M-1

RADU-LUCIAN GRIGORAS,)

FILED

Defendant.)

OCT - 9 2024


ORDER PURSUANT TO FED. R. CRIM. P. 5(f)

The Court confirms that the government has a continuing obligation pursuant, to *Brady v. Maryland*, 373 U.S. 83 (1963), *Giglio v. United States*, 405 U.S. 150 (1972), and subsequent cases, to timely disclose and produce all information favorable to the defense as to criminal liability on the charged offense (s) or mitigation of any punishment that may be imposed. Such favorable Information includes information that may cast doubt on the credibility of government witnesses. The court hereby orders that the government do so at the appropriate time .

This Order is entered pursuant to Federal Rules of Criminal Procedure 5(f) and does not relieve either party of any other discovery obligations. The possible consequences for violating a *Brady* obligation and/or this Order could include, but are not limited to, contempt proceedings, sanctions, referral to a disciplinary authority, adverse jury instructions, exclusion of evidence, and dismissal of charges.

IT IS SO ORDERED.

Dated: 10/9/24


HONORABLE SHERRY R. FALLON
UNITED STATES MAGISTRATE JUDGE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff	:	
v.	:	
	:	CASE NO. 24-347-1-M
RADU-LUCIAN GRIGORAS aka	:	
"Milan Kulhanek"	:	
	:	
Defendant.	:	

MOTION FOR DETENTION HEARING

NOW COMES the United States of America, by and through its attorneys, David C. Weiss, United States Attorney for the District of Delaware, and Tiana Sampson, Assistant United States Attorney for the District, and moves for the pretrial detention of the Defendant, pursuant to 18 U.S.C. § 3142(d), (e) and (f). In support of the Motion, the United States alleges the following:

1. **Eligibility of Case.** Pursuant to 18 U.S.C. § 3142(f), this case is eligible for a detention order because it involves:

- ☐ Crime of violence (18 U.S.C. § 3156)
- ☐ Maximum sentence life imprisonment or death
- ☐ A drug offense punishable by 10 years or more
- ☐ Felony, with two prior convictions in above categories
- ☐ Minor victim
- ☐ Possession/use of firearm, destructive device, or dangerous weapon
- ☐ Failure to register under 18 U.S.C. § 2250
- ☒ Serious risk that Defendant will flee
- ☐ Serious risk of obstruction of justice

2. **Reason For Detention.** The Court should detain Defendant because there are no conditions of release which will reasonably assure (select all that apply):

- ☒ Defendant's appearance as required;
- ☐ Safety of any other person and the community.

3. **Time For Detention Hearing.** The United States requests the Court conduct the detention hearing,

- ☐ At first appearance;
- ☒ After continuance of 3 days (not more than 3).

4. **Rebuttable Presumption.**

☐ In this case, there is a rebuttable presumption that the defendant should be detained pursuant to § 3142(e) because (if applicable, check any that apply):

- ☐ There is probable cause to believe Defendant committed 10+ year drug offense, an offense under § 924(c), or another offense set forth at § 3142(e)(3);
- ☐ The case is eligible pursuant to the criteria set forth at § 3142(e)(2), which requires a prior conviction for an eligible offense committed while on pretrial bond.

5. **Temporary Detention.**

☐ The United States requests the temporary detention of the Defendant under 18 U.S.C. § 3142(d) for a period of 10 days (not more than 10) so that the appropriate officials can be notified since (if applicable, check B or C):

- A. The Defendant may flee or pose a danger to another person in the community; and

- B. ☐ At the time the offense was committed, the Defendant was: (1) on release pending trial for a felony; (2) on release pending imposition or execution of sentence, appeal of sentence or conviction, or completion of sentence for an offense; or (3) on probation or parole for an offense.
- C. ☒ The Defendant is not a U.S. citizen or lawfully admitted permanent resident.

6. **Immigration Status.**

☒ The Defendant is not a citizen of the U.S. or lawfully admitted for permanent residence and is removable from the United States, and therefore is subject to arrest by an ICE officer should he/she be released from custody.

DATED this October 8, 2024.

Respectfully submitted,

DAVID C. WEISS
UNITED STATES ATTORNEY

BY: Tiana N. Sampson

Tiana N. Sampson
Assistant United States Attorney

AO 94 (Rev. 01/09) Commitment to Another District

UNITED STATES DISTRICT COURT

for the
District of Delaware

United States of America
v.

RADU-LUCIAN GRIGORAS

Defendant

Case No. 24-347M-1

Charging District's

Case No. 5:24-CR-409 (SNH)

COMMITMENT TO ANOTHER DISTRICT

The defendant has been ordered to appear in the NORTHERN District of NEW YORK.

The defendant may need an interpreter for this language: ROMANIAN.

The defendant: ☐ will retain an attorney.

☐ is requesting court-appointed counsel.

The defendant remains in custody after the initial appearance.

IT IS ORDERED: The United States marshal must transport the defendant, together with a copy of this order, to the charging district and deliver the defendant to the United States marshal for that district, or to another officer authorized to receive the defendant. The marshal or officer in the charging district should immediately notify the United States attorney and the clerk of court for that district of the defendant's arrival so that further proceedings may be promptly scheduled. The clerk of this district must promptly transmit the papers and any bail to the charging district.

Date:

10/9/24



Judge's signature

HON. SHERRY R. FALLON, USMJ

Printed name and title

FILED

OCT - 9 - 2024

U.S. DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

AO 466A (Rev. 01/09) Waiver of Rule 5 & 5.1 Hearings (Complaint or Indictment)

UNITED STATES DISTRICT COURT

for the
District of Delaware

United States of America

v.

GHEORGHE NISTOR

Defendant

Case No. 24-347M-2

Charging District's Case No. 5:24-CR-409 (SNH)

WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)

I understand that I have been charged in another district, the *(name of other court)* Northern District of New York

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing within 10 days of my first appearance if I am in custody and 20 days otherwise — unless I am indicted — to determine whether there is probable cause to believe that an offense has been committed;
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- ☐ an identity hearing and production of the warrant.
- ☐ a preliminary hearing.
- ☐ a detention hearing.
- ☒ an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that those hearings be held in the prosecuting district, at a time set by that court.


I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 10/9/24


FILED

OCT - 9 2024

U.S. DISTRICT COURT DISTRICT OF DELAWARE

x 

Defendant's signature



Signature of defendant's attorney

CONOR WILSON, ESQ., AFPD

Printed name of defendant's attorney

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Cr. A. No. 24-347M-2

GHEORGHE NISTOR,

Defendant.


ORDER PURSUANT TO FED. R. CRIM. P. 5(f)

The Court confirms that the government has a continuing obligation pursuant, to *Brady v. Maryland*, 373 U.S. 83 (1963), *Giglio v. United States*, 405 U.S. 150 (1972), and subsequent cases, to timely disclose and produce all information favorable to the defense as to criminal liability on the charged offense (s) or mitigation of any punishment that may be imposed. Such favorable information includes information that may cast doubt on the credibility of government witnesses. The court hereby orders that the government do so at the appropriate time .

This Order is entered pursuant to Federal Rules of Criminal Procedure 5(f) and does not relieve either party of any other discovery obligations. The possible consequences for violating a *Brady* obligation and/or this Order could include, but are not limited to, contempt proceedings, sanctions, referral to a disciplinary authority, adverse jury instructions, exclusion of evidence, and dismissal of charges.

IT IS SO ORDERED.

Dated: 10/9/24


HONORABLE SHERRY R. FALLON
UNITED STATES MAGISTRATE JUDGE

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,	:	
	:	
Plaintiff	:	
v.	:	
	:	CASE NO. 24-
GHEORGHE NISTOR	:	
	:	
Defendant.	:	

MOTION FOR DETENTION HEARING

NOW COMES the United States of America, by and through its attorneys, David C. Weiss, United States Attorney for the District of Delaware, and Tiana Sampson, Assistant United States Attorney for the District, and moves for the pretrial detention of the Defendant, pursuant to 18 U.S.C. § 3142(d), (e) and (f). In support of the Motion, the United States alleges the following:

1. **Eligibility of Case.** Pursuant to 18 U.S.C. § 3142(f), this case is eligible for a detention order because it involves:

- ☐ Crime of violence (18 U.S.C. § 3156)
- ☐ Maximum sentence life imprisonment or death
- ☐ A drug offense punishable by 10 years or more
- ☐ Felony, with two prior convictions in above categories
- ☐ Minor victim
- ☐ Possession/use of firearm, destructive device, or dangerous weapon
- ☐ Failure to register under 18 U.S.C. § 2250
- ☒ Serious risk that Defendant will flee
- ☐ Serious risk of obstruction of justice

2. **Reason For Detention.** The Court should detain Defendant because there are no conditions of release which will reasonably assure (select all that apply):

- ☒ Defendant's appearance as required;
- ☐ Safety of any other person and the community.

3. **Time For Detention Hearing.** The United States requests the Court conduct the detention hearing,

- ☐ At first appearance;
- ☒ After continuance of 3 days (not more than 3).

4. **Rebuttable Presumption.**

☐ In this case, there is a rebuttable presumption that the defendant should be detained pursuant to § 3142(e) because (if applicable, check any that apply):

- ☐ There is probable cause to believe Defendant committed 10+ year drug offense, an offense under § 924(c), or another offense set forth at § 3142(e)(3);
- ☐ The case is eligible pursuant to the criteria set forth at § 3142(e)(2), which requires a prior conviction for an eligible offense committed while on pretrial bond.

5. **Temporary Detention.**

☐ The United States requests the temporary detention of the Defendant under 18 U.S.C. § 3142(d) for a period of _____ days (not more than 10) so that the appropriate officials can be notified since (if applicable, check B or C):

- A. The Defendant may flee or pose a danger to another person in the community; and

- B. ☐ At the time the offense was committed, the Defendant was: (1) on release pending trial for a felony; (2) on release pending imposition or execution of sentence, appeal of sentence or conviction, or completion of sentence for an offense; or (3) on probation or parole for an offense.
- C. ☐ The Defendant is not a U.S. citizen or lawfully admitted permanent resident.

6. **Immigration Status.**

☐ The Defendant is not a citizen of the U.S. or lawfully admitted for permanent residence and is removable from the United States, and therefore is subject to arrest by an ICE officer should he/she be released from custody.

DATED this October 8, 2024.

Respectfully submitted,

DAVID C. WEISS
UNITED STATES ATTORNEY

BY: Tiana N. Sampson
Tiana N. Sampson
Assistant United States Attorney

AO 94 (Rev. 01/09) Commitment to Another District

UNITED STATES DISTRICT COURT

for the

District of Delaware

United States of America
v.

GHEORHE NISTOR

Defendant

Case No. 24-347M-2

Charging District's

Case No. 5:24-CR-409 (SNH)

COMMITMENT TO ANOTHER DISTRICT

The defendant has been ordered to appear in the NORTHERN District of NEW YORK.

The defendant may need an interpreter for this language: ROMANIAN.

The defendant: ☐ will retain an attorney.

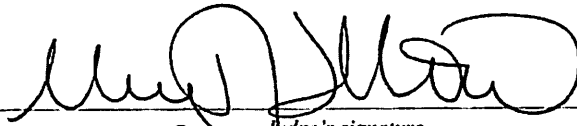
☐ is requesting court-appointed counsel.

The defendant remains in custody after the initial appearance.

IT IS ORDERED: The United States marshal must transport the defendant, together with a copy of this order, to the charging district and deliver the defendant to the United States marshal for that district, or to another officer authorized to receive the defendant. The marshal or officer in the charging district should immediately notify the United States attorney and the clerk of court for that district of the defendant's arrival so that further proceedings may be promptly scheduled. The clerk of this district must promptly transmit the papers and any bail to the charging district.

Date:

10/9/24



Judge's signature

HON. SHERRY R. FALLON, USMJ

Printed name and title

FILED

OCT - 9 2024

U.S. DISTRICT COURT DISTRICT OF DELAWARE

OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

John A. Cerino
Clerk

LOCKBOX 18
844 KING STREET
WILMINGTON, DE 19801
(302) 573-6170

October 9, 2024

Clerk of Court

Re: United States v. Grigoras et al
Case No. 24-347M
CR 5:24-409

Dear Clerk's Office Staff:

The case of U.S.A. v. Radu-Lucian Grigoras and Gheorghe Nistor is being transferred to your Court from the U.S. District Court for the District of Delaware. Kindly acknowledge receipt by signing and returning a copy of this letter.

Using your PACER account, you can retrieve the docket and any unrestricted items using the Delaware case number 24-347M.

Our Financial Staff has been copied with this information so they can notify you if there are any bail, passport or criminal debt matters in this case.

Your address was obtained from the Criminal Transfer Process page, hosted by the Northern District of Texas. Address changes can be made by emailing InterDistrictTransfer_TXND@txnd.uscourts.gov. If you should need anything additional, I can be reached by email or by dialing 302-573-6170.

Sincerely,
/s/ Larisha Hicks
Larisha Hicks
Deputy Clerk

/lih

I hereby acknowledge receipt of the record in the above
referenced case on (date)_____.

Signature

Title